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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,886	10/04/2005	Peter Dam Neilsen	886A.0014.U1(US)	6802
29683 7590 08/04/2008 HARRINGTON & SMITH, PC 4 RESEARCH DRIVE SHELTON, CT 06484-6212				
EXAMINER STEPHEN, EMEM O				
ART UNIT 2617		PAPER NUMBER		
MAIL DATE 08/04/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/551,886

Applicant(s)

NEILSEN, PETER DAM

Examiner

EMEM STEPHEN

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1.5, 10-13, 15, 16, 18-23, 25, 26, 28 and 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1.5, 10-13, 15, 16, 18-23, 25, 26, 28 and 29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 8 and 9 objection is withdrawn.

Claim Rejections - 35 USC § 112

2. The 35 U.S.C. 112 rejections to claims 13 and 23 have been withdrawn in view of the Applicants amendment.

Response to Arguments

3. Applicant's arguments filed 03/11/2008 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1, 5, 10-13, 15-16, 18-23, 25-26, and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Us Pub. 2001/0029194 A1 to Ketola et al. in view of US Pub. 2002/0087665 A1 to Marshall et al.

Regarding claims 1, 5, 10, 15, 20, and 25, Ketola discloses mobile communications device comprising a controller (see fig 1) and a method of operating a mobile communications device, the method comprising: in response to an application start event (pars. 10-12), the application start event being an event of starting an application, determining if the application start event is associated with a reminder item stored in a memory (par. 6), and in response to a positive determination, controlling the device to announce the reminder item (par. 12).

However, Ketola fails to disclose determining if there is correspondence in one of the following: an identifier associated with the application at the time of the application start event and relating to a device or resource address, a sub-routine or a device setting and identifier forming part of the reminder item.

Marshall discloses an identifier associated with the application at the time of the application start event and relating to a device or resource address, a sub-routine or a device setting and identifier forming part of the reminder item (pars. 38, 40-42, 44-45 and 53).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Ketola and have an identifier associated with the application at the time of the application start event and relating to a device or resource address, a sub-routine or a device setting and identifier forming part of the reminder item.

Regarding claims 11-12, and 21-22, the combination of Ketola and Marshall discloses a method as claimed in claim 10, in which the controlling step includes, following controlling the device to allow a user to select an application, controlling the device to present plural options including an option to initiate an application start event reminder (Ketola see fig. 4 steps 50-51).

Regarding claims 13, and 23, the combination of Ketola and Marshall discloses a method as claimed in claim 10, further comprising controlling the device to allow a user to enter an additional input, and associating the input with the reminder (par. 10).

Regarding claims 16, 18-19, 26, and 28-29, the combination of Ketola and Marshall discloses in response to an application start event, determining if the event is

associated with a reminder stored in the memory, and, in the event of a positive determination, determining also if there is correspondence between an identifier associated with the application at the time of the application start event and relating to a device or resource address, a sub-routine or a device setting and identifier forming part of the reminder item, and controlling the device to announce the reminder item (Ketola, see fig. 4 step 51, and par. 12) (Marshall, see figs. 2, and 5, pars. 38, 40-42, 44-45 and 53).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMEM STEPHEN whose telephone number is 571 272 8129. The examiner can normally be reached on 8-5 Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571 272 7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ES
07/30/2008

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617